

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Abraham Dixon	Team: Squad #8	CCRB Case #: 201806448	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 08/08/2018 9:35 AM	Location of Incident: Interstate 95, in the vicinity of Boller Avenue	Precinct: 45	18 Mo. SOL 2/8/2020	EO SOL 2/8/2020	
Date/Time CV Reported Wed, 08/08/2018 9:57 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 08/08/2018 9:57 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Christophe Lagoa	21670	945895	HWY 01

Officer(s)	Allegation	Investigator Recommendation
A.POM Christophe Lagoa	Abuse: Police Officer Christopher Lagoa stopped the vehicle in which § 87(2)(b) was an occupant.	
B.POM Christophe Lagoa	Discourtesy: Police Officer Christopher Lagoa spoke discourteously to § 87(2)(b)	
C.POM Christophe Lagoa	Discourtesy: Police Officer Christopher Lagoa acted discourteously to § 87(2)(b)	

Case Summary

On August 8, 2018, § 87(2)(b) filed this complaint with the CCRB during via phone call [Board Review 01].

On August 8, 2018, at approximately 9:35 a.m., § 87(2)(b) was traveling southbound on Interstate 95, in the vicinity of Boller Avenue in the Bronx, when she was pulled over by an officer, identified via investigation as PO Christopher Lagoa, of Highway 01 (**Allegation A: Abuse of Authority**, § 87(2)(g)). PO Lagoa told § 87(2)(b) that she had been stopped for speeding. § 87(2)(b) presented her license, registration, and a PBA card, which belongs to her husband who is an NYPD officer. PO Lagoa went back to his patrol vehicle and called § 87(2)(b)'s husband to let him know about the stop. PO Lagoa returned to § 87(2)(b)'s vehicle and allegedly stated that he “ripped her husband a new asshole” because § 87(2)(b) was going 91 miles per hour in a 50 mile per hour zone (**Allegation B: Discourtesy**, § 87(2)(g)). PO Lagoa allegedly tossed § 87(2)(b)'s license, registration, and the PBA card on her lap and returned to his patrol vehicle without issuing her a summons (**Allegation C: Discourtesy**, § 87(2)(g)). On August 16, 2018, § 87(2)(b) was issued a summons via mail for the traffic infraction committed on August 8, 2018 [BR 02].

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Christopher Lagoa stopped the vehicle in which § 87(2)(b) was an occupant.

It is undisputed that PO Lagoa stopped § 87(2)(b) for speeding. It is also undisputed that PO Lagoa issued § 87(2)(b) a summons via mail for going 91 miles per hour in a 50 mile per hour zone.

§ 87(2)(b) provided a statement to the CCRB on August 14, 2018 [BR 03]. She stated she did not look at her speedometer to check her speed because she was with a cluster of cars. § 87(2)(b) estimated she was going between 55 and 60 miles per hour. When PO Lagoa stopped § 87(2)(b) he stated she should be ashamed and embarrassed for speeding because she was married to a police officer.

PO Lagoa provided a statement to the CCRB on September 6, 2018 [BR 04]. PO Lagoa stated he pulled over § 87(2)(b) for going 91 miles per hour in a 50 mile per hour zone. He measured the speed of § 87(2)(b)'s vehicle by a handheld laser device. PO Lagoa decided to issue § 87(2)(b) a summons via mail because she stated she was in a rush for her § 87(2)(b)'s old child's appointment.

Dash camera footage from PO Lagoa's patrol video shows him stating § 87(2)(b) was traveling at 91 miles per hour as he was going back to his patrol vehicle after obtaining her license, registration, and her husband's PBA card [BR 05].

Article 30, Section 1180 of the Vehicle and Traffic Law (VTL) requires drivers to operate their vehicles at a “reasonable and prudent” speed [BR 06]. *People v. Robinson* 97 N.Y.2d 341 (2001) allows officers to stop a vehicle for which they have probable cause that the driver committed a VTL violation [BR 07].

Although § 87(2)(b) estimated she was traveling between 55 and 60 miles per hour, the summons she provided displays she was traveling 91 miles per hour in a 50 mile per hour

zone. PO Lagoa also stated the speed § 87(2)(b) was traveling on dash camera footage obtained from the car stop.

§ 87(2)(g)

Allegation (B) Discourtesy: Police Officer Christopher Lagoa spoke discourteously to

§ 87(2)(b)

§ 87(2)(b) stated PO Lagoa became “nasty” and sarcastic upon receiving her husband’s PBA card and that he began raising his voice. After obtaining her license and husband’s PBA card, PO Lagoa went back to his patrol vehicle for approximately six to seven minutes. PO Lagoa returned to § 87(2)(b)’s vehicle and said he called her husband and “ripped him a new asshole.” PO Lagoa continued to yell at § 87(2)(b) and asked if he needed to continue. § 87(2)(b) said no and PO Lagoa stated he called everyone at his precinct and everyone knows her name, license plate number, driver’s license number, and information so if she gets caught speeding again, she and her husband are getting in trouble. PO Lagoa stated “this shit is not going to fly” and let § 87(2)(b) go.

PO Lagoa stated § 87(2)(b) identified herself as a police officer’s wife and provided her husband’s PBA card along with her license and registration. Both § 87(2)(b)’s and PO Lagoa’s tone were calm and relaxed during the initial interaction. PO Lagoa acknowledged calling § 87(2)(b)’s husband to inform him about the car stop. After speaking with her husband, PO Lagoa informed § 87(2)(b) that she should not be speeding with a 10-month old in the car. PO Lagoa did not tell § 87(2)(b) he “ripped her husband a new asshole,” nor did he use any profanity towards her during the car stop.

Although there is dash camera footage of the incident, the footage only captures audio for the initial interaction between § 87(2)(b) and PO Lagoa and not the interaction after PO Lagoa returned to § 87(2)(b)’s vehicle after obtaining her information. § 87(2)(g)

§ 87(2)(g)

Allegation (C) Discourtesy: Police Officer Christopher Lagoa acted discourteously to

§ 87(2)(b)

§ 87(2)(b) stated that after speaking discourteously towards her; PO Lagoa tossed her license and husband’s PBA card on her lap.

PO Lagoa stated that he handed § 87(2)(b) her information and let her proceed without issuing her a summons since she was in a rush to her child’s appointment.

Dash camera footage from PO Lagoa’s patrol video shows PO Lagoa returning § 87(2)(b)’s information back to her by hand [BR 08].



§ 87(2)(b) Snagit.mp4

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the third CCRB complaint to which § 87(2)(b) has been a party [BR 09].
- PO Lagoa has been a member of service for ten years and this is his third CCRB complaint and allegation [BR 10].

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- A Notice of Claim was submitted on October 9, 2018, and will be added to the case file upon receipt.

§ 87(2)(b) [§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date